(Spl.-H.C.A.S.,C.D.,78-e)

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF BOMBAY AT GOA
APPELLATE SIDE

WRIT PETITION NO. 576 OF 2003

Office Note, Office Memoranda of Quorum, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

Shri J. Mello, advocate for the petitioners.

Shri E. Furtado, advocate for the respondents.

CORAM : SMT. NISHITA MHATRE, J.
DATE : 15th January, 2004

P.C.:

This Writ Petition has been filed against the impugned Order dated 13th August, 2003, refusing to condone the delay in filing the restoration application. The restoration application was filed for restoring the appeal which was dismissed for non-payment of costs. That appeal came to be dismissed on 17th August, 1988. The application for restoration and condoning the delay was filed in 1995. Ultimately, this has been heard and decided by the 1st Additional District Judge, Panaji, who has concluded that no sufficient reasons have been made out for condoning the

delay. The Appellate Court has considered all the issues and has found that the application made itself was extremely vague and, therefore, delay could not be condoned.

I see no reason to interfere with this Order especially since the decree has already been executed and the respondents are put in possession of the suit property on 9th August, 1990.

Writ Petition rejected.

SMT. NISHITA MHATRE, J.

mc.